UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1996/40
18 January 1996
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 18 JANUARY 1996 FROM THE PERMANENT REPRESENTATIVE OF BURUNDI TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to communicate to you the position of the Government of Burundi concerning the letters sent to you by the Secretary-General of the United Nations on 29 December 1995 and 17 January 1996 (S/1995/1068 and S/1996/36), and concerning your letter dated 12 January 1996 (S/1996/27).

The Government of Burundi shares the Secretary-General's deep concern over the persistence and resurgence of violations of human rights, as noted by the Special Rapporteur of the Commission on Human Rights. It reiterates its sincere appreciation to the Secretary-General for his interest in seeking solutions to the problems of Burundi, and for his efforts aimed at defusing the crisis.

Nevertheless, the Government of Burundi would like to offer the Security Council certain clarifications which it considers necessary. It takes this opportunity to reiterate its previous position regarding foreign troops. The problems affecting Burundi are part and parcel of a specific state of affairs. The Government agrees with the very pertinent remarks made to the world by the Secretary-General of the United Nations during his visit to our country in July 1995, to the effect that nothing would be possible unless the women and men of Africa take their destiny into their own hands.

I. THE PROCEDURE

By virtue of its sovereignty and in accordance with the Charter of the United Nations, the Government of Burundi attaches primary importance to diplomatic consultation. It therefore considers that it would have been mutually advantageous for it to have been consulted, through its authorities and accredited representatives, before such drastic measures were recommended.

96-01061 (E) 180196 180196

/...

II. THE SUBSTANCE

1. THE STATIONING OF MILITARY FORCES IN ZAIRE OR IN ANY OTHER NEIGHBOURING COUNTRY WITH A VIEW TO RAPID DEPLOYMENT IN BURUNDI, IN ORDER TO SPARE IT A REPETITION OF THE TRAGEDY IN RWANDA, MAKES IT IMPERATIVE TO EMPHASIZE A FEW AXIOMATIC TRUTHS:

A. Inappropriateness of inter-position forces

Far from serving as a deterrent, the military presence in the immediate vicinity of Burundi would appear to be a sword of Damocles. Such being the case, it would provoke constant psychotic fear, and would oblige the Burundian army to prepare to defend the country against such an expedition, concurrently with its present campaign against armed bands. In the event of actual intervention in our country, what form would such intervention take? In the absence of a conflict between two military camps - our situation being unlike that of other countries, where the presence of the Blue Helmets has proved imperative - what would the mission of United Nations troops be? Would they interpose themselves between the fanatics relentlessly perpetrating acts of violence against the people of Burundi and against the army, which is waging war against them? Moreover, no foreign State is threatening or occupying Burundi. Conversely, Burundi is not violating the rights of any State. Between which belligerent camps would the Blue Helmets be called upon to arbitrate?

B. The spectre of a military deployment in Burundi is in and of itself nerve-racking

The threat of a deployment of troops provisionally based abroad or of military intervention without transition (both plans being in fact identical) is provoking a climate of uneasiness in Burundi.

This is welcomed as a stroke of luck by the armed bands which, powerless to resist the Burundian army, are terrorizing the population. It is therefore perfectly understandable that those terrorist groups should hope and pray for a United Nations contingent to rescue them from the national security forces. With that expectation in mind, they naturally view the recommended expeditionary force as their future ally.

On the other hand, the spectre of that foreign military corps, so often vaunted as an attractive proposition, is having disastrous consequences for the overwhelming majority of the population of Burundi. It is creating the illusion of salvation by foreigners, and at the same time it is giving rise to a storm of protest against what appears to be a marked propensity towards militaristic solutions. It follows that the exaltation of military intervention is perceived in Burundi as a veritable war of nerves being waged before the intervention actually takes place on the ground. Under these circumstances, good intentions are having painful effects and are exacerbating the crisis, or rather generating A CRISIS SUI GENERIS. It is in the best interest of the United Nations to abandon that formula once and for all, irrespective of the further evolution of the crisis.

C. Security forces against criminals, not against ethnic groups or ideologies

The security forces are engaged effectively in the patriotic struggle against armed bands, without the slightest regard for ethnic affiliation or political ideology. They have declared war on such armed bands because they instigate trouble and commit crimes against the nation, not because of their ethnicity or political allegiance. At the moment, no terrorist group has conquered a single inch of national territory; the Government has control over the entire territory. As they cannot score the slightest victory against the security forces, the terrorist groups are falling back, taking revenge on innocent people and venting their rage on economic, social and industrial infrastructures. In an attempt to protect themselves from the national army pursuing them, the outlaws are hiding out among peaceful civilians, sometimes taking them as hostages, sometimes using them as human shields, sometimes killing those patriots who refuse to go along with their evil ideology of extermination.

In none of those cases would there be any justification for planning military intervention in Burundi. That would definitely be ANTITHETICAL TO ANY PROPER SOLUTION.

2. CONCERN FOR THE HONOUR AND CREDIBILITY OF THE UNITED NATIONS

Over the years, as recent developments have illustrated, the tendency to employ United Nations forces has become an easy way out, not to say a virtually irresistible panacea - undermining the supremacy of the art of diplomacy, dispensing with the political process. As more and more military interventions have failed, the trend, no doubt in good faith, has been to play down the United Nations itself and its prestigious organ, the Security Council, often drawn into conflicts and not always emerging in glorious shape. If an expeditionary force is sent to Burundi - the question of its modalities being left aside - would the Burundian army be expected to welcome it as a saviour? If it is not, would the credibility of the United Nations not be seriously undermined, whatever the outcome? It is the duty of all the main players and policy makers in the United Nations system to shield the Organization and work judiciously to preserve its honour and credibility in the eyes of mankind and international opinion.

3. DISCREPANCY BETWEEN THE FATE OF HUMANITARIAN PERSONNEL ELSEWHERE AND THEIR TREATMENT IN BURUNDI

The Government and armed forces of Burundi have made no attempt, either directly or indirectly, to interfere with the safety, security and freedom of humanitarian organizations. On the contrary, the security forces have operated with such vigilance and effectiveness that throughout this long crisis, which is now more than two years old, virtually all international personnel have been protected from all dangers. The various threats and ambushes, and the few casualties among the staff of such organizations are the exclusive work of subversive organizations: the group that goes under the misnomer of National Council for the Defence of Democracy (Conseil national de la défense de la démocratie (CNDD)), and PALIPEHUTU and FROLINAT, secular arms of CNDD. Such acts are intended to deter international organizations from their humanitarian

mission and have been committed against the will of the Government, without any acquiescence or complicity on its part. In rushing to suspend aid and withdraw, governmental and non-governmental organizations would be rushing into the traps set by the saboteurs. Is it not obvious that these saboteurs are frantically striving to sabotage systematically the humanitarian operations and force those engaged in such operations to capitulate? Is it not obvious that one of their primary goals is to sow discord between the security forces and international humanitarian staff? Has it not been established that the armed bands are desperately seeking to starve or crush the returnees and displaced persons, whose fate depends largely on external contributions? In common with the Secretary-General in his letter dated 17 January 1996 (S/1996/36), my Government can attest to the fact that the terrorist bands are launching attacks against expatriate personnel as a means of forcing them "to leave certain areas and of removing potential witnesses". If there is evidence that humanitarian organizations or their officials are the targets of deliberate, dangerous acts by any institutional organ, the Government will do its utmost to remedy the situation. Accordingly, since the risks against those international organizations have been minimized, thanks to the Burundian army, which has served as a powerful shield, do the organizations not have every reason to commend this welcome security success? The results achieved by the Burundian army in protecting expatriates and humanitarian organizations deserve the most positive and objective appreciation, especially as the army is engaged on several fronts, primarily against the CNDD-PALIPEHUTU-FROLINAT trio referred to above, and against foreign elements that have infiltrated Burundi, such as contingents of former Rwandan troops and INTERAHAMWE. Consequently, the Secretary-General's proposal for a "limited deployment of United Nations guards to protect United Nations personnel and premises" (S/1996/36, p. 2, para. (a)) HAS NO RAISON D'ÊTRE and meets with opposition on the part of my Government. To agree to such an exception would be to agree to let the Trojan horse in and would provide a springboard for the attainment of a long-sought goal - military intervention proper in a second phase !!!

There is a golden rule that has now become more imperative than ever. It is based on three main principles: the need to resist the easy temptation to pack up and leave whenever there is the slightest glimpse of an obstacle erected by those sabotaging the operations of humanitarian organizations; full awareness of the fact that the suspension or cessation of operations penalizes the beneficiaries - returnees and displaced persons - and perfectly serves the evil goals of the terrorists; the vital need to facilitate the work of the Government by refraining from any initiative or action incompatible with the agreements and conventions concluded between the Government and those organizations, and by scrupulously obeying the instructions of the security forces.

At the beginning of this year, a special meeting was convened by the Government for the diplomatic corps and international organizations, with the aim of dispelling any ambiguities. During that meeting, the Minister for Foreign Affairs, the Minister of Defence and the Secretary of State for Cooperation jointly stressed the need for organizations operating in Burundi to comply strictly with their obligations in regard to the Burundian State, as set forth in the various agreements and conventions, and to obey scrupulously the security instructions given by the Government, the security forces and the United Nations Coordinator.

In welcoming the special envoy of the Secretary-General, Mrs. Sadako Ogata, United Nations High Commissioner for Refugees, the Prime Minister went even further, and announced the mechanisms planned as a means to establishing permanent consultation on security measures between the military and civilian authorities concerned and the representatives of United Nations agencies and non-governmental organizations.

In support of those initiatives, the Government of Burundi reiterates its commitment to guarantee the security of all citizens and expatriates. Moreover, it confirms its solid support for the International Commission of Inquiry, and urges it to expedite its investigations aimed at identifying those responsible for the assassination of President Melchior Ndadaye, and those responsible for the massacres perpetrated after that tragic event.

PROPOSALS BY THE GOVERNMENT OF BURUNDI

The Government of Burundi urgently calls on the United Nations and the international community to focus their valuable and generous contributions on the attainment of the priority goals, which are consistent with the resolutions adopted on 22 December 1995 by the United Nations General Assembly (A/50/L.58/Rev.1 and A/50/L.59/Rev.2), and the statement issued by the President of the Security Council on 5 January 1996 (S/PRST/1996/1). The goals are as follows:

1. All necessary assistance with a view to the settlement of the nation's problems by Burundians themselves, in accordance with the principles and procedures laid down in the Convention of Government by the various political partners;

2. The total dismantling of the radio station cynically designated the "Voice of Democracy - Ijwi ry'Abanyagihugu", which is transmitting an ideology and engaging in practices inciting ethnic hatred and genocide, as was pertinently stated by the President of the Republic and the Prime Minister in the joint message to the Secretary-General transmitted to him and to the President of the Security Council in my letter dated 12 October 1995;

3. The success of initiatives, such as those sponsored in the regional framework by President Jimmy Carter and President Julius Nyerere, with the aim of restoring peace, security, stability and economic development;

4. The organization and conduct of a national debate on the fundamental problems facing the country, the report of the Technical Commission having recently been submitted to the head of State;

5. Enhancement of the judicial system so as to ensure that crimes are not committed with impunity;

6. Substantially increased contributions in the form of technical, financial and material resources likely to promote the improvement of security and domestic order for all citizens and expatriates residing permanently or temporarily in Burundi;

7. A substantial increase in humanitarian assistance for victims, displaced persons and refugees, efforts to achieve national reconstruction and economic recovery;

8. The healthy development and consolidation of a free and responsible national press;

9. Eradication of networks for the training, equipping and use of armed, fundamentalist political groups, which have become the most serious impediment to security in Burundi;

10. The political, diplomatic and moral resources for achieving the ultimate objective: NATIONAL RECONCILIATION.

It would be superfluous to demonstrate that massive intervention by the United Nations and international organizations in the areas outlined above would certainly offer the best remedy to the causes of the crisis, and would be infinitely less costly than the mobilization of military contingents in Burundi.

The Government of Burundi welcomes the political and diplomatic realism reflected in your statement of 5 January (S/PRST/1996/1), a statement unanimously endorsed by the distinguished States members of the Council.

In keeping with its fundamental commitment to consultation with the United Nations, our Government and our Permanent Mission remain constantly at the disposal of the Security Council and the Secretary-General. The Government of Burundi requests that the present message should be circulated as a Security Council document and made available to the international media, as was the case with the letters concerning Burundi transmitted to you by the Secretary-General on 29 December 1995 and 17 January 1996.

(Signed) NSANZE TERENCE
Ambassador
Permanent Representative